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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Satoshi SUGAHARA et al.

Group Art Unit: 2815

Application No.: 10/551,802

Examiner: J. VALENTINE

Filed: December 2, 2005

Docket No.: 125471

For: TUNNEL TRANSISTOR HAVING SPIN-DEPENDENT TRANSFER
CHARACTERISTICS AND NON-VOLATILE MEMORY USING THE SAME

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the March 28, 2007 Restriction Requirement, Applicants provisionally
elect Group 6, claims 35-99, with traverse.

It is also respectfully submitted that the subject matter of all claims 35-99 is
sufficiently related that a thorough search for the subject matter of any one Group of claims
would encompass a search for the subject matter of the remaining claims. Thus, it is
respectfully submitted that the search and examination of the entire application could be made
without serious burden. See MPEP §803 in which it is stated that "if the search and
examination of an entire application can be made without serious burden, the examiner must
examine it on the merits, even though it includes claims to independent or distinct inventions"
(emphasis added). It is respectfully submitted that this policy should apply in the present
application in order to avoid unnecessary delay and expense to Applicants and duplicative
examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



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Date: April 23, 2007

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